

NOTICE OF OBJECTION TO CONFIRMATION

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION has filed papers with the Court to object to the Confirmation of the Chapter 13 Modified Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Modified Plan, or if you want the Court to consider your views on the Objection, then on or before 10/29/2020, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103

MARIE-ANN GREENBERG, Trustee
Chapter 13 Standing Trustee
30 TWO BRIDGES ROAD SUITE 330
FAIRFIELD, NJ 07004

2. Attend the hearing scheduled to be held on 11/05/2020 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
50 Walnut Street, 3rd Floor
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: September 30, 2020

/s/ Sherri J. Smith
Sherri J. Smith, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 47923
Fax: 856-813-5501
Email: Sherri.Smith@phelanhallinan.com

File No. 821726

Phelan Hallinan Diamond & Jones, PC

1617 JFK Boulevard

Philadelphia, PA 19103

856-813-5500

FAX Number 856-813-5501

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

In Re:

MARC ROBERT HUECK
CARESSE PATTY ANN HUECK

Debtors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Chapter 13

Case No. 19-12542 - VFP

Hearing Date: 11/05/2020

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, the holder of a Mortgage on Debtors' residence located at 38 OVERLOOK AVENUE, LITTLE FALLS, NJ 07424 hereby objects to the Confirmation of the Debtors' proposed Chapter 13 Modified Plan on the following grounds:

1. On April 4, 2019, Movant filed Proof of Claim listing pre-petition arrears in the amount of \$3,336.79. A copy of the Proof of Claim is attached hereto as Exhibit "A" and made a part hereof.
2. Debtors' Modified Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
3. Debtors' Modified Plan lists the Movant in Part 4(f) as a Secured Claim unaffected by the Modified Plan.
4. Movant objects to Debtors' Modified Plan as it is underfunded and is inconsistent with the provisions provided on the Order Resolving Objection to Confirmation entered on June 24, 2019 (Doc 31).

5. Debtors' Modified Plan should be amended to fully fund the arrears, as well as provide for on-going, post-petition, regular monthly mortgage payments.
6. Based on the foregoing, confirmation of Debtors' proposed Modified Plan should be denied.

WHEREFORE, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION respectfully requests that the Confirmation of Debtors' Modified Plan be denied.

/s/ Sherri J. Smith
Sherri J. Smith, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 47923
Fax: 856-813-5501
Email: Sherri.Smith@phelanhallinan.com

Dated: September 30, 2020

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

821726
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
856-813-5500
Attorneys for JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION

In Re:

Marc Robert Hueck
Caresse Patty Ann Hueck

Case No: 19-12542 - VFP

Hearing Date: 11/04/2020

Judge: Vincent F. Papalia

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Jason Seidman:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents JPMORGAN CHASE BANK, NATIONAL ASSOCIATION in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On September 30, 2020 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Modified Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: September 30, 2020

/s/ Jason Seidman
Jason Seidman

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Marc Robert Hueck 38 Overlook Avenue, Little Falls, NJ 07424	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Caresse Patty Ann Hueck 38 Overlook Avenue, Little Falls, NJ 07424	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Leonard S Singer, Esquire 36 Mountain View Blvd. Wayne, NJ 07470	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg, Trustee Chapter 13 Standing Trustee 30 Two Bridges Road Suite 330	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail

Fairfield, NJ 07004		<input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
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* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.